

**U.S. District Court**  
**District of Columbia (Washington, DC)**  
**CIVIL DOCKET FOR CASE #: 1:18-cv-01720-APM**

PUBLIC EMPLOYEES FOR ENVIRONMENTAL  
 RESPONSIBILITY v. U.S. CHEMICAL SAFETY AND  
 HAZARD INVESTIGATION BOARD  
 Assigned to: Judge Amit P. Mehta  
 Cause: 05:552 Freedom of Information Act

Date Filed: 07/24/2018  
 Jury Demand: None  
 Nature of Suit: 895 Freedom of  
 Information Act  
 Jurisdiction: U.S. Government Defendant

**Plaintiff**

**PUBLIC EMPLOYEES FOR  
 ENVIRONMENTAL  
 RESPONSIBILITY**

represented by **Paula Naomi Dinerstein**  
 PUBLIC EMPLOYEES FOR  
 ENVIRONMENTAL RESPONSIBILITY  
 962 Wayne Avenue  
 Suite 610  
 Silver Spring, MD 20910  
 (202) 265-7337  
 Fax: (202) 265-4192  
 Email: [pdinerstein@peer.org](mailto:pdinerstein@peer.org)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. CHEMICAL SAFETY AND  
 HAZARD INVESTIGATION BOARD**

represented by **William Mark Nebeker**  
 U.S. ATTORNEY'S OFFICE  
 Civil Division  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2536  
 Fax: (202) 252-2599  
 Email: [mark.nebeker@usdoj.gov](mailto:mark.nebeker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/24/2018	<u>1</u>	COMPLAINT against U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD ( Filing fee \$ 400 receipt number 0090-5601798) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons AG, # <u>3</u> Summons CSB, # <u>4</u> Summons USAO)(Dinerstein, Paula) (Entered: 07/24/2018)
07/24/2018	<u>2</u>	Corporate Disclosure Statement by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Dinerstein, Paula) (Entered: 07/24/2018)
07/24/2018		Case Assigned to Judge Amit P. Mehta. (zsb) (Entered: 07/24/2018)
07/25/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Notice and Consent)(zsb) (Entered: 07/25/2018)
08/21/2018	<u>4</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 08/21/2018)
08/22/2018		MINUTE ORDER granting Defendant's <u>4</u> Unopposed Motion for Enlargement of Time. Defendant's answer shall now be due on or before September 28, 2018. Signed by Judge Amit P. Mehta on 8/22/2018. (lcapm2) (Entered: 08/22/2018)

08/23/2018		Set/Reset Deadlines: Defendant's answer to Complaint due by 9/28/2018. (hmc) (Entered: 08/23/2018)
08/28/2018	<u>5</u>	AMENDED COMPLAINT against U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Exhibit Ex A – Appeal Decision, # <u>2</u> Exhibit Ex B – email from CSB, # <u>3</u> Exhibit Ex C – House Comm Letter to CSB)(Dinerstein, Paula) (Entered: 08/28/2018)
09/27/2018	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer re <u>5</u> Amended Complaint, by U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 09/27/2018)
09/28/2018		MINUTE ORDER granting Defendant's <u>6</u> Unopposed Motion for Extension of Time to File Answer. Defendant's Opposition shall now be due on or before October 9, 2018. Signed by Judge Amit P. Mehta on 09/28/2018. (lcapm2) (Entered: 09/28/2018)
09/28/2018		Set/Reset Deadlines: Defendant's Responsive Pleading due by 10/9/2018. (zjd) (Entered: 10/01/2018)
10/09/2018	<u>7</u>	ANSWER to <u>5</u> Amended Complaint, by U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD.(Nebeker, William) (Entered: 10/09/2018)
10/10/2018	<u>8</u>	ORDER. Both a Complaint and an Answer are now before the court in this FOIA case. It is hereby ordered that the parties shall meet and confer and file a Joint Status Report on or before October 24, 2018. The Joint Status Report shall include (1) the status of Plaintiff's FOIA request; (2) the anticipated number of documents responsive to Plaintiff's FOIA request; (3) the anticipated date(s) for release of the documents requested by Plaintiff; (4) whether a motion for stay is likely under <i>Open America v. Watergate Special Prosecution Force</i> , 547 F.2d 605 (D.C. Cir. 1976); and (5) whether the parties anticipate summary judgment briefing and, if so, a proposed briefing schedule. Please see the attached Order for details. Signed by Judge Amit P. Mehta on 10/10/2018. (lcapm2) (Entered: 10/10/2018)
10/10/2018		Set/Reset Deadlines: Joint Status Report due by 10/24/2018. (zjd) (Entered: 10/11/2018)
10/24/2018	<u>9</u>	Joint STATUS REPORT <i>and Proposed Schedule</i> by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Dinerstein, Paula) (Entered: 10/24/2018)
10/25/2018		MINUTE ORDER. Per the parties' <u>9</u> Joint Status Report, Defendant shall produce a Vaughn Index to Plaintiff no later than November 29, 2018, and the parties shall file an additional Joint Status Report no later than December 13, 2018, in which the parties advise whether summary judgment briefing will be required and, if so, propose a briefing schedule. Signed by Judge Amit P. Mehta on 10/25/2018. (lcapm2) (Entered: 10/25/2018)
10/25/2018		Set/Reset Deadlines: Vaughn Index to be produced to Plaintiff by 11/29/2018. Joint Status Report due by 12/13/2018. (zjd) (Entered: 10/25/2018)
12/14/2018	<u>10</u>	Joint STATUS REPORT by U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD. (Nebeker, William) (Entered: 12/14/2018)
12/17/2018		MINUTE ORDER. The parties shall file an additional Joint Status Report no later than January 28, 2019, updating the court on their efforts to resolve this matter. If the parties reach an impasse, they shall propose a summary judgment briefing schedule. Signed by Judge Amit P. Mehta on 12/17/2018. (lcapm2) (Entered: 12/17/2018)
12/17/2018		Set/Reset Deadlines: Joint Status Report due by 1/28/2019. (zjd) (Entered: 12/17/2018)
01/28/2019	<u>11</u>	STIPULATION of Dismissal <i>And Settlement</i> by U.S. CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD. (Nebeker, William) (Entered: 01/28/2019)